

COMMON COUNCIL



Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
540-667-1815
TDD 540-722-0782
www.ci.winchester.va.us

I, Kari J. Van Diest, Deputy Clerk of the Common Council, hereby certify on this 26th day of August 2015 that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 25th day of August 2015.

AN ORDINANCE AMENDING SECTION 8-2-19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO GROUND FLOOR RESIDENTIAL CONVERSION OF EXISTING STRUCTURES

Ed. Note: The following text represents an excerpt of Article 8 of the Zoning Ordinance that are subject to change. Words with strikethrough are proposed for repeal. Words that are boldfaced and underlined are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.

ARTICLE 8

HIGHWAY COMMERCIAL DISTRICT B-2

SECTION 8-2. USES REQUIRING A CONDITIONAL USE PERMIT

8-2-19 Multifamily and Condominium dwellings, subject to the following: (9/13/05, Case TA-05-02, Ord. No. 025-2005; 2/10/19, Case TA-08-13, Ord. No. 2009-05)

The Intent of this provision is to encourage quality mixed use development, particularly in areas served by public transportation. In this case, permitted B-2 commercial uses shall be limited to the following: Banks and financial uses, convenience and services establishments, laundromats, dry cleaners where dry cleaning is done off premises, repair services or businesses excluding auto or truck repair, art galleries, retail stores, general and medical offices, physical fitness and martial arts establishments, bakeries, and restaurants, excluding nightclub use.

- a. A maximum of eight dwelling units per building, however, any two buildings may be connected by a common elevator;
- b. No dwellings shall have more than two (2) bedrooms ~~nor be situated on the ground level;~~

- c. Building entrances and off-street parking areas serving dwelling units should be oriented to the side or rear of the property;
- d. Density shall not exceed one (1) dwelling unit for each 3500 square feet of the Total Project Area, except where dwelling units are certified by the standards outlined in the United States Green Building Council LEED for Homes program; and, with each dwelling unit having no more than two (2) bedrooms, the following Density Adjustment shall be applied: (3/11/09, Case No. TA-08-12, Ord. No. 2009-10)

<u>Level of Certification</u>	<u>Bonus Factor</u>
Certified	.05
Silver	.10
Gold	.15
Platinum	.20

- e. The absolute minimum floor area per dwelling unit in each building used for this purpose shall be as follows: seven hundred (700) square feet for efficiency & one (1) bedroom units; and nine hundred (900) square feet for two (2) or more bedrooms.
- f. **No dwelling units shall be located on the ground floor unless:**
 - 1) **City Council makes a determination that multifamily use is as suitable as or preferable to other permitted uses on the ground floor.**
 - 2) **No units are situated facing a major commercial street as determined by the Planning Director, and**
 - 3) **The dwelling units are proposed as part of a redevelopment of an existing structure. Ground floor dwelling units shall not be permitted in new structures.**

Ordinance No. 2015-15

ADOPTED by the Common Council of the City of Winchester on the 25th of August 2015.

Witness my hand and the seal of the City of Winchester, Virginia.



A handwritten signature in blue ink that reads "Kari J. Van Diest". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

*Kari J. Van Diest, CMC
Deputy Clerk of the Common Council*